(3)

CHHOK

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No.3783/2003

PETITIONER : Indrawati, D/o. Late Dwarika, Caste Sahu, aged about 27 yrs, Occupation House wife, R/o. Village Govindpur, P.S. - Vishrampur, Tahsil Surajpur, Distt. Surguja (C.G.)
PLAINTIFF

VERSUS

RESPONDENTS : 1) Dhanpatiya, W/o. Late Dwarika Sahu, aged about 63 years, Occupation House wife, R/o. Village Govindpur, P.S. - Vishrampur, Tahsil Surajpur Distt. Surguja (C.G.)

P.R. No. 3569/03
Presented by Shri Ashok Kumar Shukla
dated 13.11.03

2) Shanti, W/o. Rampratap, Caste - Sahu, aged about 24 years, Occupation House wife, R/o. Village Govindpur, P.S. Vishrampur, Tahsil Surajpur, Distt. Surguja (C.G.)

3) General Manager, S.E.C.L. Vishrampur, area Vishrampur, Tahsil Surajpur, Distt. Surguja (C.G.)

4) Sub-Area Manager, S.E.C.L.Kumda, Sub-Area Kumda, Tahsil Surajpur Distt. Surguja (C.G.)

5) Additional Distt. Judge, Surajpur Distt. Surguja (C.G.) (Shri Sanjay Sendere)

(4)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(22)

आदेश पत्रक

मामला क्रमांक WP No. 3783/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26.03.2004

Shri Ajay Dwivedi, counsel for the petitioner.

Heard.

Learned counsel for the petitioner submits that the petitioner had filed an application for stay before the Court below, which was rejected vide order dated 17.10.2003. However, the Court below had itself fixed the case for final hearing on 10.11.2003.

Having considered the facts and circumstances and material on record and the fact that the Court below itself had fixed the case for final hearing, in the opinion of this Court, no case for interference is made out while exercising the jurisdiction under Article 226/227 of the Constitution of India. However, it is made clear that if the appeal has not yet been heard for one reason or the other, it be heard as early as possible preferably within 3 weeks from the date of production of this order before the Court below.

At this stage, learned counsel for the petitioner submits that the interest of the petitioner may be protected to the extent

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(23)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

that if ultimately she succeeds, she may be able to recover the amount.

It is open to the petitioner to make such an application before the appropriate Court and if such an application is made, her interest, if required, may be protected by the Court, in case the other side furnishes undertaking/security of the like amount.

With the aforesaid observations, this petition stands disposed of at this stage.

Consequently, M.W.P.3406/2003 and I.A.No.10925/2003 also stand disposed of.

Sd/-
Fakhruddin
Judge

[पीठे लेखिते